

REMARKS

In further responding to the Office Letter of January 11, 2002, the applicant is addressing the species restriction set forth in the Office Action.

5 At the outset, it is urged that the species restriction, particularly as constructed, will only add to further prosecution of the instant application. The primary difference between the system of Claim 1 which is generic, for example, and as shown in Figure 1, and not shown in Figure 2, is the addition of a separate
10 reel. Nevertheless, the mechanism itself works in substantially the same manner. Thus, it is urged that any prior art found with respect to the subject matter of Species I, and really, the generic claims, would also be located with respect to the second species. In this respect, the applicant urges that he is quite familiar with
15 the state of the prior art in general. This present application has been assigned to a company which makes these cover systems.

Moreover, the applicant in this application has numerous U.S. Patents in his name, as well as related foreign patents. The
_____applicant is unaware of any prior art which would be applicable to
20 the claims of Species II, and which would not otherwise be applicable to the claims of Species I and the generic claims. It is therefore believed that adherence to the restriction requirement would only duplicate efforts on the part of the applicant, and on the part of the U.S. Patent and Trademark Office.

It would also appear as though searches for the subject matter of the first species and the subject matter of the second species would necessarily have to be coextensive. The essence of the invention is in the use of a cable which extends from a power pack, such as an electrically operated drive system, to a cover drum located at a swimming pool, and where the power pack is remote from the cover drum. As a result, it is further believed that any search would necessarily be coextensive, again, resulting in duplication of efforts on the part of the U.S. Patent and Trademark Office.

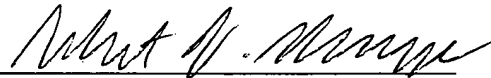
For the above reasons, it is believed that the species restriction is without justification, and should be withdrawn. However, in an effort to be responsive, the applicant hereby provisionally elects to prosecute the claims of species restriction II.

A review of the claim structure and the previous election,
reveals that Claims 1-13 are present in the application. A further review also reveals that Claims 6, 12 and 16 are applicable to restriction II. The remaining claims, namely, Claims 1-5, 7-11 and

13-15 are all generic. The applicant, therefore, provisionally elects to prosecute Claims 1-13, which includes those generic claims and claims of Species II.

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Respectfully submitted,



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